

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 4-1-73	Clerk	3-16-73	Winn	15 00	
		3-22-73	C.D.No.41		15 00
		1-8-74	Poe	5 00	
J.S. 6 mailed 1-1-74	Marshal	1-10-74	C/D #26		5 00
Basis of Action: Personal In jury- Motor vehicle.	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-16-73	Complaint filed. Summons issued. x Served Secy of State.h	
3-20-73	Notification of Filing of Summons, filed. jj	
3-21-73	Secy of Stat's return on service of summos, filed. Executed by mailing summons to Englund Equipment Co., Salinas, Cal. on 3-19-73. Receipt for \$3.00. ds service	
3-26-73	Marshal's/returned and filed. Summons served on Secretary of State of Okla.(Dale L. Goldstandt), Okla. City on 3-19-73 (USM fee \$4.72) jj	
3-26-73	Marshal's Service returned and filed. Summons served on Sec. of State of Okla.(Englund Equip. Co.) Okla.City on 3-19-73 (USM fee \$4.00)jj	
3-26-73	Marshal's service returned and filed.Summons served on Sec. of State of Okla.(William Earnest Morgan) Okla.City on 3-19-73 (USM fee \$4.00)jj	
3-27-73	Affidavit of filing of summons and mailing of notification, filed. hm	
4-16-73	Appl. to Extend Time to file answer to Complaint, filed. v -order to J.	
4-18-73	Order granting deft. Goldstandt until 4-28-73 to file answer, filed. (LB-J)g cpies mailed	
4-25-73	<u>Request for Jury Trial</u> , filed by Deft.s Englund Equipment Co. & Wm. Ernest Morgan. v	
4-25-73	Answer of Deft.s Englund Equipment Co. & Wm. Ernest Morgan, filed. v	
4-30-73	Answer of the defendant Dale L. Golstandt filed.h	
5-8-73	Ordered by the Court that this case is set for Pre-Trial Hearing on May 24, 1973, at 10:00 A.M. (LB-J)v -notices mailed.	
5-10-73	Interrogatories, filed by Pltf. v -to Deft. Wm. Ernest Morgan	
5-10-73	Request for Production of Documents, filed by Pltf. v	
5-10-73	Interrogatories, filed by Pltf. v -to Deft. Englund Equipment Co.	
5-22-73	Interrogatories by pltf. to def. Goldstandt, filed. rm	
5-24-73	Case called for P-T, but was passed. (LB-J)r	
5-1-73	Answers to Request for Production of Documents, filed. jj	
6-6-73	Defts' Application for Ext. of Time to File Ans. to Interrogatories, filed. jj - 0 to J	
6-7-73	Answers to interrogs by defendant, Englund Equipment Co. filed. ds	
6-8-73	Order filed, that defts Englund Equip & Wm Ernest Morgan be given until 7-8-73 to file answers to Interrog., filed. (LB-J)r (Copies mailed)	
6-28-73	Appl. for substitution of Counsel of Record for Defts Englund Equip. Co. and Wm. Ernest Morgan, filed. v -order as part of pldg., all to J.	
7-2-73	Answers to interrogatories of Dale L. Goldstandt, filed. hm	
7-3-73	Order allowing substitution of counsel of record for defts. Englund Equipment Co. & William Ernest Morgan, substituting firm of Foliart, Mills & Niemeyer, filed. (LB-J)hm (copies mailed)(part of applic)	

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-5-73	Case set for pre-trial hearing 7-19-73 at 1:30 p.m. (LB-J)hm	
7-19-73	Case called for pre-trial hearing and pre-trial passed, to be reset on next pre-trial docket. Case No. 73-C-86 is consolidated with this case and pltf. to prepare order. (LB-J)hm	
8-6-73	Pltfs interrogatories to Dale L. Goldstandt, filed. jj	
8-6-73	Pltfs interrogatories to Englund Equipment Company, filed. jj	
8-7-73	Order of consolidation, filed. (LB-J)r (Copies mailed)	
8-16-73	Case set for pre-trial hearing 8-27-73 at 1:30 p.m. (LB-J)hm	
8-17-73	Request for production of documents by pltf., filed. rm	
8-27-73	Pre-trial hearing held. Pltf's request to amend complaint denied but Court allows amendment to be included in pre-trial order. Amended answers of defts. Englund Equipment Co. & William Ernest Morgan filed in both cases, with leave of Court. Case to be tried to a 6-man jury and will be set the week of Oct. 23 or 29. (EST-2 days or more). Pltf. to file brief on question of protective order and pltf. to file pre-trial order. (LB-J)hm	
8-28-73	Case set for jury trial 10-23-73 at 9:30 a.m. (LB-J)hm	
9-5-73	Deposition of Will E. Morgan, filed. g	
9-5-73	Deposition of William Goldstandt, filed. g	
9-5-73	Deposition of Bobbie Zoe Short, filed. g	
9-5-73	Deposition of Joel B. Short on behalf of deft., filed. g	
9-5-73	Deposition of Dale Goldstandt on behalf of deft., filed. g	
9-14-73	Interrog., filed by Pltfs. r	
9-20-73	Case continued from jury trial setting of 10-23-73 and reset for 10-29-73 at 9:30 a.m. (LB-J)hm	
10-1-73	Motion to consolidate actions, filed. (73-C-85, 73-C-86 & 73-C-118)hm	
10-1-73	Brief in support of motion to consolidate actions, filed. hm	
10-4-73	Ordered by the Court that Case #73-C-118 having been transferred from Judge Barrow, cases 73-C-85, 73-C-86 & 73-C-118 are hereby consolidated & are set for jury trial 10-29-73 at 9:30 a.m.; further ordered that parties file pre-trial order within 5 days. (LB-J)hm	
10-10-73	Pretrial order, filed (in 73-C-85 & 73-C-86). (LB-J)hm	
10-10-73	Ordered that requested instructions to be filed by 10-19-73. (LB-J)hm (letter written)	
10-12-73	Amended answer of defts Englund Equipment Co., Transit Casualty Co., & William Ernest Morgan and counter-claim of deft. Englund Equipment Co. (against pltf. Goldstandt), filed. hm (Leave granted to file-LB)	
10-15-73	Answers of defts. Englund Equipment Co. and Wm. Ernest Morgan to interrogatories of plts. Bobbi Zoe Short and Joel B. Short, filed. g	
10-18-73	Defendants list of witnesses, filed. rm	
10-19-73	Request for Instructions by Pltfs Bobbi Zoe Shoret and Joel B. Short, filed. jj	

(over)

73-C-85)
73-C-86)
73-C-118)
(Cons.)

SHEET NO. 2, PAGE NO. 4

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-24-73	Motion of pltfs. Bobbi Zoe Short and Joel B. Short, for protective order limiting scope of oral examination, filed. hm <i>Bray filed on 10-26-73.</i>	
10-25-73	Deposition of Dr. John William Koehler, taken by Delia Alene Kunnans, CSR, on 10-16-73, filed. Plaintiffs Short: \$8.93; Defendants Englund and Morgan: \$112.86. ds	
10-25-73	Depositions of Robert E. Kirkman, M. D., Mr. Leon Billingsly, and Dr. Gary L. Selby, all taken on 10-16-73 by Delia Alene Kunnanz, CSR, filed. Due by Plaintiffs Short \$21.40, \$44.56 and \$77.64. ds	
10-25-73	Motion for protective order of defendants, Englund Equipment Co, Transit Casualty Co and William Ernest Morgan, filed. ds	
10-25-73	Brief of defendants in support of motion for protective order, filed. ds	
10-25-73	Requested instructions of defendants, Englund Equipment Co, William Ernest Morgan and Transit Casualty Co., filed. ds	
10-26-73	Brief in support of Pltfs' Motion for Protective Order Limiting Scope of Oral Examination, filed. v	
10-29-73	Amendment to pre-trial order, filed. (LB-J)hm	
10-29-73	Pre-trial order, filed. (LB-J)hm	
10-29-73	Case tried to a jury Oct. 29, 30 & 31. In conference prior to trial, motion of pltf. Bobbi Zoe Short and Joel Short for protective order limiting scope of oral examination & motion of defts. Englund Equip. Co., Transit Casualty & Morgan are each agreed to. <u>Pltfs' statement of appearances, filed in open court 10-29-73.</u> Depositions of Dr. Leon Billingsley, Dr. Gary Selby and Dr. Robert E. Kirkman read into record. Medical report from Dr. Robert Rosenweig read to jury. Deft. Goldstandt's motion for hearing outside of jury denied. Jury retires to deliberate at 3:30 p.m. 10-30-73 and returns with verdicts at 11:20 a.m. 10-31-73. Five verdicts ordered received, read and filed in open court. Jury discharged and counsel excused until 12:00 noon for further hearing. (LB-J)hm	
10-31-73	Instructions to jury, filed in open court. (LB-J)hm	
10-31-73	Verdict in 73-C-85, filed in open court, awarding judgment of \$150,000 to Bobbi Zoe Short against defts. Englund Equip. Co. & William Ernest Morgan. hm	
10-31-73	Verdict in 73-C-85, filed in open court, awarding judgment of \$75,000 to Bobbi Zoe Short against deft. Dale Lynn Goldstandt. hm	
10-31-73	Verdict in 73-C-86, filed in open court, awarding judgment of \$40,000 to Joel B. Short against defts. Englund Equip. Co. and William Ernest Morgan. hm	
10-31-73	Verdict in 73-C-86, filed in open court, awarding judgment of \$20,000 to Joel B. Short against deft. Dale Lynn Goldstandt. hm	
10-31-73	Verdict in 73-C-118, filed in open court, that pltf. Goldstandt is not entitled to recover from defts. & defts not entitled to recover against pltf. hm	
10-31-73	Exhibits, filed. (Large ones in exhibit room - rest with file)hm	
10-31-73	12:30 p.m. Court in session. Pltf. counsel & counsel for defts. Englund Equip., Morgan & Transit accept verdicts as recorded; counsel for deft. Goldstandt objects to verdicts. Court enters judgment in 73-C-85 for Bobbi Zoe Short against defts. Englund Equip. Co., Wm. Ernest Morgan	

(cont.)

DATE	PROCEEDINGS	Date Order or Judgment Noted
	and Dale Goldstandt for a total amt. of \$225,000.00, without prejudice to separate judgments as rendered. Court enters judgment in 73-C-86 for Joel B. Short against defts. Englund Equip. Co., Wm. Ernest Morgan & Dale Lynn Goldstandt for a total amt. of \$60,000.00, without prejudice to separate judgments as rendered. Counsel for pltfs. to prepare formal judgment approved by all parties and present to Court. Time for appeal will not begin to run until filing of judgment. (LB-J)hm	
11-9-73	Objection to Inspection or Copying of Designated Materials, filed. a	
11-9-73	Bill of costs by pltf., filed. Clerk to tax costs on 11/16/73 at 1:30 p.m. rm	
11-9-73	Notice to take deposition of John Scott by pltf. & Def. Dale Goldstandt on 11/12/73 at 1:30 p.m., in Tulsa, filed.rm Subpoena issued.	
11-9-73	Notice by counsel for Goldstandt, filed, to pltfs. Shorts & their counsel, re motion for order requiring them to ans. questions and produce documents pursuant to subpoena. rm	
11-12-73	Motion of Goldstandt for new trial; obj. to purported jury verdicts; and alternative mo/judg. notwithstanding verdicts, filed. rm	
11-16-73	for the plaintiffs Bill of Costs taxed/in the amount of \$555.60. (JCS-CC)v	
11-20-73	Brief of Dale L. Goldstandt in support of motion for new trial, filed.hm	
12-6-73	Brief of Bobbi Zoe Short and Joel B. Short in response to brief of Dale L. Goldstandt in support of motion for new trial, filed. ds	
12-10-73	Defendants brief in support of motion for new trial, filed. ds	
12-10-73	Hearing held on motion of deft. Dale Goldstandt for new trial; objection to purported jury verdicts; & alternative motion for judgment notwithstanding verdicts; and objection to inspection or copying of designated materials. Deft. Goldstandt exhibit No.1 received in evidence. Pltf's witness Arthur Rubin sworn & testifies. Deft. Goldstandt's motions & objection are overruled in all three cases; objection to inspection or copying of designated materials now moot. Judgment prepared by pltf. counsel signed and filed in open court. Deft. Goldstandt now renews motion for new trial, refiles it, and Court again overrules said motion. Supersedeas bond set on judgment for Mrs. Short in amount of \$250,000 and set on Mr. Short's judgment in amount of \$75,000. (LB-J)hm	
12-10-73	Judgment, filed and entered in open court, that pltf. Bobbi Zoe Short recover of defts. Englund Equipment Co., William Ernest Morgan & Dale L. Goldstandt the sum of \$225,000 with int. at rate of 10% per annum, and costs; that pltf. Joel B. Short recover of defts. Englund Equipment Co., William Ernest Morgan and Dale L. Goldstandt the sum of \$60,000 with int. at rate of 10%, and costs; that in 73-C-118 the pltf. Goldstandt take nothing against the deft. & defts. take nothing on their cross-complaint against pltf. (LB-J)hm (copies mailed)	
1-8-74	Notice of appeal in consolidated cases by Dale L. Goldstandt, filed. g (cpy to USCA, John Scott & Foliart)g	

73-85 }
 73-86 } Consolidated
 73-118 }

BOHANON

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-8-74	Supersedeas bond, filed: Dale L. Goldstandt, Principal, United States Fidelity & Guaranty Co., as surety, sum of \$225,000.00. g	
1-8-74	Supersedeas bond, filed: Dale L. Goldstandt, principal, and Allstate Insurance Co., surety, sum of \$100,000.00. g	
2-14-74	Order overruling motion for new trial and motion for judgment notwithstanding the verdict and order fixing supersedeas bond, filed, fixing supersedeas bond in amt. of \$325,000.00 in 73-C-85 and 73-C-86 consolidated for trial and disposition. (LB-J)hm (copies mailed)	
2-19-74	Order, filed, extending time to file and docket appeal to 3/23/74. (LB-J)rm copies to counsel and USCA	
3-28-74	Order of USCA extending time to docket & file appeal to 4-15-74, filed. g cpies mailed	
4-10-74	Transcript of trial proceedings, mo/new trial and other proceedings, had on 10/29-30-31 and 12/10 - 1973, filed. (FMS-Ct. Reporter) rm	
4-10-74	Appeal record (4 vol.) transmitted to USCA. rm	
10-31-74	Release & Satisfaction of Judgment in @ of \$164,385.60, filed.k	
10-31-74	Release & Satisfaction of Judgment in @ of \$82,152.80 paid by defts. Englund Equipment Co. & Wm. Ernest Morgan, filed.k	
11-13-74	Order of U.S.C.A. dismissing appeal on motion of appellants, filed and spread of record. g	
11-21-74	Appeal record (4 vols.) rec'd from USCA. g	